



Lowell City Council

Regular Meeting Minutes

Michael Q. Geary
City Clerk

Date: July 13, 2021

Time: 6:30 PM

Location: City Council Chamber, 375 Merrimack Street, 2nd Floor, Lowell, MA /
VIA Zoom Link

1. ROLL CALL

Roll Call showed 8 present, 1 absent (C. Nuon).

M. Leahy presiding.

C. Chau requested moment of silence in darkened chamber for Legalist Sarith-Srey. C. Conway requested moment of silence in darkened chamber for Patricia Montgomery. C. Mercier requested moment of silence in darkened chamber for Lorraine Mellen and Georgia Themeles.

2. MAYOR'S BUSINESS

2.1. Communication Remote / Zoom Participation:

Meetings Will Be Held In Council Chamber With Public Welcome And By Using Remote Participation As Follows: Members Of The Public May View The Meeting Via LTC.Org (On-Line; Live Streaming; Or Local Cable Channel 99). Those Wishing To Speak Regarding A Specific Agenda Item Shall Register To Speak In Advance Of The Meeting By Sending Email To City Clerk Indicating The Agenda Item And A Phone Number To Call So That You May Be Issued Zoom Link To The Meeting. Email Address Is MGEARY@LOWELLMA.GOV. If No Access To Email You May Contact City Clerk At 978-674-4161. All Request Must Be Done Before 4:00 PM On The Day Of Meeting. For Zoom - [HTTPS://SUPPORT.ZOOM.US/HC/EN-US/ARTICLES/201362193-JOINING-A-MEETING](https://support.zoom.us/hc/en-us/articles/201362193-joining-a-meeting)

In City Council, **Motion** "To accept and place on file" by C. Conway, seconded by C. Drinkwater. So voted.

2.2. Recognition - John Power As An Honorary Citizen Of Lowell.

In City Council, M. Leahy commented on citation to issue. C. Samaras commented on the honorary citizen award and how Mr. Power is deserving of it for establishing and operating the vaccination center in the City. C. Rourke commented on the contribution of Mr. Power on running such a successful vaccination site. M. Leahy read the citation naming Mr. Power as an honorary citizen of Lowell. Mr. Power thanked the body and



recognized the contributions of Jody White of Lowell General Hospital for his assistance as well.

3. CITY CLERK

3.1. Minutes Of Non-Profit Organizations SC June 22nd; City Council Regular Meeting June 22nd; Zoning SC June 29th; Transportation SC June 29th, For Acceptance.

In City Council, minutes read, **Motion** "To accept and place on file" by C. Samaras, seconded by C. Rourke. So voted.

4. UTILITY PUBLIC HEARING

4.1. National Grid - Request Installation Of New Switch Gear And Electric Conduit For Power To New Parking Garage At 171 Jackson Street.

In City Council, Given 2nd Reading. Hearing held. A representative of National Grid spoke in favor of the petition. No Remonstrants. **Motion** to refer to Wire Inspector for report and recommendation by C. Chau, seconded by C. Drinkwater. So voted.

5. COMMUNICATIONS FROM CITY MANAGER

5.1. Motion Responses.

In City Council, **Motion** "To accept and place on file" by C. Drinkwater, seconded by C. Conway. So voted.

A) Motion Response - RMV Lowell Service Center – C. Rourke noted they site was by appointment only and questioned when the facility would be fully operational. Manager Donoghue noted that they did not have exact date of proximate date as to when that would happen.

B) Motion Response - Fire House Extractors – M. Leahy commented on efforts to meet the needs of the department. Manager Donoghue noted that the DPW and the LFD have joined resources to address the needs.

C) Motion Response - Ouellette Bridge – C. Samaras noted that the work would be part of the next budget cycle.

D) Motion Response - Highlands Construction Project – C. Chau noted the helpful information in the report. Christine Clancy (DPW) commented on city wide paving program which is focused currently throughout the Highlands. C. Chau noted the work being done is excellent. M. Leahy commented that there must be oversight with the contractors to ensure that the property is left in a satisfactory condition. Ms. Clancy commented on the contractors' responsibilities.

E) Motion Response - FEMA Flood Insurance Changes – C. Rourke noted that changes to premiums are forth coming and homeowners should be made aware of them. Shad Ahmed (Emergency Services) noted some areas will see an increase.



Manager Donoghue stated that they will search where affected areas will be. C. Rourke noted the goal to keep costs down. Manager Donoghue noted that use of all resources to keep low costs.

F) Motion Response - Building Permits, ANRs, Single Lodging Houses – C. Elliott noted current discussion in Zoning SC and these are areas of concern for neighborhoods. C. Elliott noted lodging houses only allowed in the City by way of Special Permit. **Motion** by C. Elliott, seconded by C. Conway to refer matter to Zoning SC. So voted.

G) Motion Response - Chelmsford Street No Parking Here to Corner – C. Chau noted the report.

H) Motion Response - Howard Street No Parking Here to Corner – C. Chau commented on the traffic issues.

I) Motion Response - Rapid Planning Grant – M. Leahy recognized the report.

J) Motion Response - River's Edge – C. Elliott noted concern for last phase of the project and noted prior change of zoning request for the site. C. Elliott noted that the Planning Board did not provide recommendations for the application. C. Elliott noted the number of units was reduced by the developer but was still more than requested through permitting. C. Elliott noted that there are many violations present on the site and that the City per statute is responsible for oversight as taxpayer money is involved. C. Elliott noted that the Inspector General was investigating the project and that the Council should be provided information regarding the site. Manager Donoghue noted was unaware of investigation but would provide all information to the Council. Manager Donoghue commented that there is no contact with developer and no known permits for the site. Christine McCall (DPD) noted there were no permits but the Planning Board must give final approval for last phase. C. Elliott recognized report from Watermark regarding site violations. C. Drinkwater note issues commented on are before the Housing SC and he is awaiting further information to set the meeting up.

5.2. Informational Reports

K) Informational - Community Preservation Plan – Manager Donoghue commented that the Commission has met and adopted a plan.

5.3. Communication - Resignation Of Mary Donnelly From Council On Aging.

In City Council, **Motion** "To accept and place on file" by C. Drinkwater, seconded by C. Conway. So voted.

5.4. Communication - City Manager Request Out Of State Travel (2) LPD.

In City Council, Read, **Motion** to adopt by C. Rourke, seconded by C. Chau. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted. C. Mercier requested information regarding Law Enforcement Trust Fund.



Motion to suspend rules to take all motions placed on agenda out of order by C. Mercier, seconded by C. Chau. So voted.

Motion by C. Elliott, seconded by C. Mercier to bundle and waive second reading for Items #6.1 to #6.8 inclusive. So voted.

6. VOTES FROM THE CITY MANAGER

6.1. Vote - Accept Expend Mass In Motion Grant For 60,000 For Health Dept.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Elliott. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

6.2. Vote - Accept Expend State Opioid Response Prevention In Early Childhood Grant.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Elliott. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

6.3. Vote - Accept Expend Tobacco Grant For \$75,000 For Health Dept.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Elliott. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

6.4. Vote - Apply Accept Expend American Rescue Plan Funds.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Elliott. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

6.5. Vote - Transfer 79,400 For Cemeteries.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Elliott. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

6.6. Vote - Transfer 8,528.13 For DPD.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Elliott. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.



6.7. Vote-Accept Gift From Anonymous Donor For Crowley Park.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Elliott. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

6.8. Vote-Accept Gift From Nucar Lannan Chevrolet Of Lowell For LHS.

In City Council, Read twice, full reading waived with no objections. **Motion** to adopt by C. Rourke, seconded by C. Elliott. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

7. ORDINANCES FROM THE CITY MANAGER

7.1. Ordinance-Create Business Services Market Manager Position In Career Center Position And Salary.

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

8. CONSTABLE BONDS

8.1. Communication - City Mgr. Request Approval Of Constable Bonds For Leslie Stirk.

In City Council, Read, **Motion** to adopt by C. Rourke, seconded by C. Conway. Adopted per Roll Call vote 8 yeas, 1 absent (C. Nuon). So voted.

9. REPORTS (SUB/COMMITTEE, IF ANY)

9.1. Subcommittees Reports:

1. Transportation SC June 29, 2021;

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

2. Zoning SC June 29, 2021; and

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

3. Election Laws/Redistricting SC July 6, 2021.

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

9.2. Wire Insp. - Comcast - Request Installation Of Communications Conduit To Provide Service From 138 To 160 Middlesex Street.



In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

9.3. Wire Insp. - National Grid - Request Installation Of New Handhole And (2) Four Inch Conduits Connecting To It At 197 Appleton Street.

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

9.4. Wire Insp. - University Of Massachusetts Lowell (UML) - Request Installation Of Electric Conduit At Sarah Avenue Under Riverside Street For New Source Feeder For UML North Campus.

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

10. PETITIONS

10.1. Claim - (1) Property Damage.

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

10.2. Misc. - Atlas (ATC) Request Request Temporary Access For Staging Area At 25 Carter Avenue.

In City Council, **Motion** to refer to Law Department for report and recommendation by C. Rourke, seconded by C. Samaras. So voted. Registered speaker, Tim Warr, addressed the body.

10.3. Misc. - Janie Polay Request That City Council Ban Door To Door Soliciting In The City Of Lowell.

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

10.4. TC Systems Inc. (AT&T) (Giomare Group) - Request Installation Of 116 Feet Of Underground Conduit At Intersection Of Industrial And Reiss Avenues.

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

10.5. TC Systems Inc. (AT&T) (Giomare Group) - Request Installation Of 44 Feet Of Underground Conduit At Appleton And Thorndike Streets.

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.



11. CITY COUNCIL - MOTIONS

11.1. C. Elliott - Req. Transportation SC Meet To Address Speeding And Cut-Through Traffic On Starbird Street And Put Measures In Place To Protect Over A Dozen School Age Children That Live And Play In The Neighborhood And Walk To The McAvenue School.

In City Council, seconded by C. Rourke, referred to Transportation SC. So voted. C. Elliott noted the area was a dangerous cut through. C. Rourke questioned status of hiring of Transportation Engineer and the need to have a comprehensive approach to solutions. Manager Donoghue commented that City has hired a consultant to fill the position. C. Elliott noted there may be a need to adjust the salary.

11.2. C. Elliott - Req. City Council Discuss With The Election Commission To Add A Second Polling Location At Each Voting District; To Ensure That All Voters Have Convenient Access/Ability To Vote In Municipal Elections.

In City Council, seconded by C. Drinkwater, referred to City Manager/Elections. So voted. The following registered speakers addressed the Council: Deb Belanger; George Zarias; Stacey Thompson (Zoom); Geoff Foster; Tara Hong; Yun-Ju Choi; Jon Grossman; Mary Tauras Van Tooch (Zoom); Pau Gaudet; and Dave Ouellette. C. Elliott commented on prior special meeting and filing of a home rule petition noting the need for polling locations to be convenient and accessible and that there are options available. C. Chau noted polling locations must be accessible. C. Drinkwater commented on the number of organizations involved with the process and favored option 2 which allowed two locations per district and was supported by the Secretary of State's Office. C. Samaras commented that it would be difficult to change locations at this stage as there is going to be a new voting system implemented as well. C. Mercier noted the need for more locations to adhere to spirit of voting rights litigation about increasing participation. Manager Donoghue noted that all options need some type of legal permission which may include amending the Consent Decree. C. Mercier noted that the amending of the Consent Decree may be best option. Solicitor O'Connor noted there are options to change law and amending Consent Decree would be quicker than filing of another Home Rule Petition. Solicitor O'Connor reviewed the number of steps needed to effectuate changes and the time line involved in that process. Manager Donoghue noted that data input involved with be an issue to contend with and it will be difficult to achieve. C. Elliott need to amend Consent Decree and begin moving on the matter. Manager Donoghue noted that process can begin and that things may change based on new census data. C. Conway noted that the frustrations of voters and candidates need to be addressed and locations should be considered that would increase voter turnout. C. Conway noted City should be prepared for all alternatives. C. Rourke noted there should be an attempt to increase polling location if possible.

11.3. C. Elliott - Req. City Mgr. Contact Pan Am Railways To Inspect And Paint Railroad Bridges At Lawrence/Billerica Streets And Gorham Street; As Well As Update Signage To Prevent Trucks From Hitting Bridges.



In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Elliott noted it was a neighborhood concern.

11.4. C. Conway - Req. City Mgr. Report On The Feasibility Of Retaining A Minimum Of The Fourteen Voting Locations That Were Available To Residents During The 2019 Election With The Intention Of Increasing Voter Turnout.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Conway noted that the issue was fully discussed prior in the meeting.

11.5. C. Conway - Req. City Mgr. Meet With The LPD And Other Appropriate City Departments And Our City Partners To Develop A Plan For A City-Wide Campaign That Will Address Vehicle Traffic And Pedestrian Safety On The Streets Of Our Neighborhoods.

In City Council, seconded by C. Mercier, referred to City Manager. So voted. Registered speaker, Laura Gilmore (Zoom), addressed the body. C. Conway noted this was one of his more important motions and there needs to be a comprehensive campaign supported by many people and organizations to develop a plan to ensure safety for all citizens.

11.6. C. Mercier - Req. City Mgr. Discuss With Parking Director About Offering A Group Discount To Court House Employees For The Early Garage And The New Hamilton Canal Garage.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Mercier noted that there are many group discount rates available and that the program should be expanded to make those rates available to others. C. Rourke abstained from the discussion and vote.

11.7. C. Mercier - Req. City Mgr. Have Proper Department Put A 4-Way Stop Sign At The Intersection Of Lincoln, Washington And Angle Streets; If Not Justified Place A "No Parking Here To Corner" Sign On All Corners At The Intersection.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Mercier noted it was a dangerous site and that the City should gather information from neighborhood to get a clear picture.

11.8. C. Mercier - Req. City Mgr. Provide Installing Special Safety Measures Ie., Police Enforcement For Speeding On Aberdeen, Beacon And Christian Streets, As Well As, 6th And 7th Avenues.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Mercier noted the area was full of speeders and there are neighborhood concerns.



11.9. C. Mercier - Req. City Mgr. Provide The Council With The City's Vision, Direction And Guidance For What Is The Future For Downtown Lowell; The Heart Of The City.

In City Council, seconded by C. Chau, referred to City Manager. So voted. C. Mercier voiced her concern about the downtown and its condition noting that it needs vast improvements so that visitors would be impressed and not disappointed. C. Mercier noted the need for immediate direction and change and that activity in the area needs to be positive. Registered speakers, Deb Belanger, Richard Healy and Katherine Ragot, addressed the body. Ms. Ragot submitted her written statement. Manager Donoghue noted there were challenges in the downtown and that they were moving towards solutions. C. Mercier noted her concern with the many vacancies that appear to be downtown.

11.10. C. Samaras - Req. City Mgr. Have Proper Department Research Or Develop Various Methods To Better Control Speeding Within City Limits.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Samaras commented on the many that are frustrated with traffic in the City and noted that Lowell was used as a cut through for many communities. C. Samaras noted need for implementation and enforcement of plan.

11.11. C. Samaras - Req. City Mgr. Provide A Report As To Why A Number Of Voting Precincts Have Been Eliminated.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Samaras noted prior discussion prior in the meeting.

11.12. C. Chau - Req. City Mgr. Investigate And Correct The Malfunctioning HVAC System At The Morey School.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Chau commented on experience and the need for repairs as the school remains open during the summer. Manager Donoghue noted recent grant money would allow work to begin at the site. M. Leahy noted that warranties must be enforced to the responsible party if they exist.

11.13. C. Chau - Req. City Mgr. Investigate And Recommend Pedestrian Safety Improvements Along Wachusett Street Including Installation Of Lighting, Collapsing Drainage Basins And Raised Water Valves Protruding From The Sidewalks.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. Registered speaker, Corey Robinson, addressed the Council. C. Chau noted the area was active at night and there is a need for lighting in that area.



11.14. C. Chau - Req. City Mgr. Provide Policy And Status Updates For Long Term Parking And Back To School Readiness For Upcoming School Year Within The City Garages.

In City Council, seconded by C. Rourke, referred to City Manager. So voted. C. Chau noted that preparation and planning are needed to develop long term policies.

11.15. C. Chau - Req. City Mgr. Update The Council On The Status Of The Tree Planting Program And Investigate Expanding The Program Throughout The Highlands Area Of The City.

In City Council, seconded by C. Drinkwater, referred to City Manager. So voted. C. Chau commented help was needed in that dense part of the City.

11.16. C. Drinkwater - Req. City Council Vote In Support Of Utilizing The Leo A. Roy Parking Garage For A Mural Project, And Further Request That The City Manager Work With ArtUp Lowell And Beyond Walls To Initiate A Call For Artists And Concepts For A Mural Project.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. Registered speaker, Mary Hart, addressed the Council. C. Drinkwater noted the importance of the downtown area to Lowell and that people should have a good feeling while they are in there. C. Drinkwater noted the number of partners involved in artistic projects in the City and is a great opportunity to develop the area in a positive light.

Motion by C. Rourke, seconded by C. Chau to take Item #10.2 out of order. So voted.

11.17. C. Drinkwater - Req. City Mgr. Contact DCAM To Ask For A Status Update On The Hurd St. Courthouse And A Timeline For Sale Or Auction Of The Property.

In City Council, seconded by C. Elliott, referred to City Manager. So voted. C. Drinkwater noted request for information.

11.18. C. Drinkwater - Req. City Mgr. Provide An Update On The Community Choice Power Supply Aggregation And Energy Broker Contracts, And The Process And Timeline For Entering Into New Contracts.

In City Council, seconded by C. Chau, referred to City Manager. So voted. C. Drinkwater noted the contract is up for renewal.

11.19. C. Rourke - Req. City Mgr. Work With Police Supt. To Form A Police Action League (PAL) For Lowell Youth.

In City Council, seconded by C. Samaras, referred to City Manager. So voted. C. Rourke noted request for information.



Motion to Waive Rule 5 to continue past 10:00 PM by M. Leahy. Received no second discussion of agenda items would not go past 10:00 PM.

11.20. M. Leahy - Req. City Mgr. Have Proper Department Look At Health Of City Tree Located At 91 Felton Street.

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

11.21. M. Leahy - Req. City Mgr. Work With Proper Department To Paint Turning Signals On Andover Street.

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

11.22. M. Leahy - Req. City Mgr. And Proper Department Work With Residents Of The Hamilton Canal District Regarding Construction Schedule Over The Next Few Years.

In City Council, Matter referred to City Council Meeting Agenda July 27, 2021 per City Council Rule 5.

12. ANNOUNCEMENTS

In City Council, none.

13. ADJOURNMENT

In City Council, **Motion** to Adjourn by C. Samaras, seconded by C. Elliott. So voted.

Meeting adjourned at 10:00 PM.

Michael Q. Geary, City Clerk